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Action of the Board

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March 1960

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- e. An operation, if authorized after a hearing, cannot be performed until fifteen days after the date of authorization.

- 2. Right of appeal.

After an order is entered by the Eugenics Board in a case on which there has been a hearing, any party to the proceedings may within fifteen days from the date of the order give notice of appeal to the superior court. In an appeal, the person for whom the operation has been ordered is to be deemed the plaintiff. If the court does not sustain the plaintiff's objection, he has ten days following the court decision in which to file notice of appeal to the supreme court. No operation will be performed pending the outcome of any appeal.

- a. Action of the Eugenics Board in cases of appeal.

In the case of an appeal, the Eugenics Board would reconsider the case and require further information from the petitioner if the need is indicated. Since the Eugenics Board believes that the successful results of an operation for sterilization depend on the favorable attitude of the individual and his nearest of kin, it should be reluctant to press the case of an appeal.

- C. When changes in original order are needed.

- 1. Extension of time for performance of operation.